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6-01-04

DAE
IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	
IN RE APPLICATION OF: Karl Gramling	ATTY DKT NO.: P-7988
SERIAL NO.: 10/623,222	EXAMINER:
FILED: July 21, 2003	
TITLE: Gutter Retaining System	ART UNIT NO.:

TO: Mail Stop PETITION Commissioner for Patents Post Office Box 1450 Alexandria, VA 22313-1450 ATTN: E. Shirene Willis
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PETITION TO OBTAIN ORIGINAL FILING DATE UNDER 37 CFR § 1.53(e)

Applicant hereby petitions to receive the original filing date of July 21, 2003. The drawings at issue were submitted with the original application on July 21, 2003.


On December 12, 2003, Applicant received a Notice of Incomplete Nonprovisional Application (dated December 8, 2003) stating that the application was deposited without drawings and therefore a filing date was not accorded to the application. On December 18, 2003, Applicant submitted a Response to Notice of Incomplete Nonprovisional Application, which included another original set of the originally submitted drawings. On April 21, 2004, Applicant received a decision dismissing a petition because a \$130.00 petition fee was not submitted with the response, which was not a petition.

Applicant now petitions to obtain the original filing date and has enclosed sufficient evidence to establish Applicant's entitlement to the original filing date. This evidence establishes prior receipt in the USPTO of the drawings at issue. This evidence includes the following: (1) Certificate of

Mailing dated July 17, 2003; and (2) returned postcard from the USPTO dated July 21, 2003. The Certificate of Mailing and the postcard both indicate that three pages of drawings were enclosed. The USPTO acknowledged receipt of the drawings on the return postcard on July 21, 2003.

Respectfully submitted,

GUNN & LEE, P.C.
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By: 
Michelle L. Evans
Reg. No. 44,673



CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service in an envelope addressed to the "Mail Stop PETITION, Commissioner for Patents, Post Office Box 1450, Alexandria, VA 22313-1450, ATTN: E. Shirene Willis", as follows:

<p>37 CFR 1.8(a)</p> <p><input type="checkbox"/> With sufficient postage as First Class Mail.</p> <p>Date: _____, 2004</p>	<p>37 CFR 1.10</p> <p><input type="checkbox"/> As "Express Mail Post Office to Addressee", Mailing Label No. <u>EV 40036445745</u>.</p> <p>Date: <u>28 May</u>, 2004</p>
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Miranda S. Barlow
Printed Name of Person Mailing Paper or Fee

Miranda S. Barlow
Signature of Person Mailing Paper or Fee



RECEIVED IN THE U.S. PATENT & TRADEMARK OFFICE
AUG 01 2003

P-7988

Atty: MLE

— Applicant Name: Karl J. Gramling
Title: Gutter Retaining System



The date stamp and serial number of the U.S. Patent and Trademark Office will acknowledge receipt of the **Utility Patent Application Transmittal; Fee Transmittal for FY 2003; Patent Application Fee Determination Record; Combined Declaration and Power of Attorney (6 pages); Information Disclosure Statement with Cited Reference; Patent Application (17 pages) with Drawings (3 pages); Certificate of Mailing; and Filing fee in the amount of \$375.**



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P7988

May 28, 2004

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
ATTN: E. Shirene Willis

RE: U.S. Patent Application Serial No. 10/623,222 entitled "Gutter Retaining System"

Dear Sir:

Enclosed please find the following items for filing on the above referenced patent:

1. Petition to Obtain Original Filing Date Under 37 CFR §1.53(e)
2. Original Postcard
3. Original Certificate of Mailing

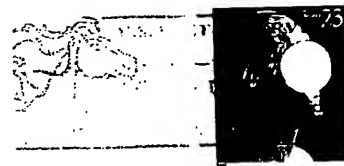
Authorization is hereby given to Charge Account No. 500808 for the petition fee of \$130 and any applicable surcharges that may apply. Please stamp the enclosed acknowledgment card with the date of receipt and return to my office.

Sincerely,

Michelle L. Evans

Enclosures

MLE/mb



21908 U.S. PTO
10/623222
07/21/03

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<p style="text-align: center;"><u>37 CFR 1.8(a)</u></p> <p><input checked="" type="checkbox"/> With sufficient postage as First Class Mail.</p> <p>Date: <u>July 17</u>, 2003</p>	<p style="text-align: center;"><u>37 CFR 1.10</u></p> <p><input type="checkbox"/> As "Express Mail Post Office to Addressee", Mailing Label No. _____</p> <p>Date: _____, 2003</p>
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Documents Enclosed:

1. Utility Patent Application Transmittal;
2. Fee Transmittal for FY 2003;
3. Patent Application Fee Determination Record;
4. Combined Declaration and Power of Attorney (6 pages);
5. Information Disclosure Statement with Cited Reference;
6. Patent Application (17 pages) with Drawings (3 pages);
7. Acknowledgment Postcard; and
8. Filing fee in the amount of \$375.

Kerrye Stevens
Printed Name of Person Mailing Paper or Fee

Kerrye Stevens
Signature of Person Mailing Paper or Fee